



99TH GENERAL ASSEMBLY

State of Illinois

2015 and 2016

SB2856

Introduced 2/17/2016, by Sen. Ira I. Silverstein

SYNOPSIS AS INTRODUCED:

755 ILCS 5/24-5.1 new

Amends the Probate Act of 1975. Provides that before the distribution of a firearm to the distributee of an estate, other than a small estate or an estate independently administered, the representative must transmit to the court a written statement that the distributee is lawfully eligible to own and possess a firearm under the federal Gun Control Act of 1968, the Criminal Code of 2012, and the Firearm Owners Identification Card Act and that the distributee possesses a valid Firearm Owner's Identification Card issued in his or her name by the Department of State Police. Provides that if the court is satisfied with the validity of the written statement, the court shall order the distribution of the firearm to the distributee. Provides that if the court is not satisfied with the validity of the written statement, the court shall order that the firearm be placed in the custody of the court until the distributee meets the requirements of this provision within a time period set by the court. Provides that if the distributee fails to meet the requirements within the time period set by the court, the court shall order the firearm to be disposed of in a manner prescribed by the court.

LRB099 16421 RLC 40754 b

1 AN ACT concerning civil law.

2 **Be it enacted by the People of the State of Illinois,**
3 **represented in the General Assembly:**

4 Section 5. The Probate Act of 1975 is amended by adding
5 Section 24-5.1 as follows:

6 (755 ILCS 5/24-5.1 new)

7 Sec. 24-5.1. Distribution of firearms. Before the
8 distribution of a firearm to the distributee of an estate,
9 other than a small estate or an estate independently
10 administered, the representative must transmit to the court a
11 written statement that the distributee is lawfully eligible to
12 own and possess a firearm under the federal Gun Control Act of
13 1968, the Criminal Code of 2012, and the Firearm Owners
14 Identification Card Act and that the distributee possesses a
15 valid Firearm Owner's Identification Card issued in his or her
16 name by the Department of State Police. If the court is
17 satisfied with the validity of the written statement, the court
18 shall order the distribution of the firearm to the distributee.
19 If the court is not satisfied with the validity of the written
20 statement, the court shall order that the firearm be placed in
21 the custody of the court until the distributee meets the
22 requirements of this Section within a time period set by the
23 court. If the distributee fails to meet the requirements within

1 the time period set by the court, the court shall order the
2 firearm to be disposed of in a manner prescribed by the court.